

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. – I & CAD Dept - Disciplinary proceedings against Sri T.V. Satyanarayana Rao, Assistant Executive Engineer (now I/c DEE) – common order of the Hon'ble High Court dated 21.08.2013 in W. P. No. 25162 / 2011 and W. P. No. 28200 / 2011 filed by Sri T.V.Satyanarayana Rao, DEE - Implementation – Orders – Issued.

IRRIGATION & CAD (Vig.II (V&E-2) DEPARTMENT

G.O.RT.No. 601

Dated:26.09.2014
Read the following:-

1. G.O.Ms.No.199, I&CAD (Ser.VII (V&E-2)Dept, dt.17.02.2007.
- 2.From the Hon'ble APAT common judgment dated 14.07.2010 in O.A.No.2216/2007 and O.A.No.1552/2007 filed by Sri T.V.Satyanarayana, DEE.
- 3.From the Hon'ble High Court, common order dated 21.08.2013 in W.P.No.25162/2011 and W.P.No.28200/2011 filed by Sri T.V.Satyanarayana Rao, DEE.
- 4.From the GP for Services, AP High Court, Hyderabad, letter No.CC. 1316/14/KRL/Ser.AP/HC, dated 15.09.2014.
- 5.From the GP for Services, AP High Court, Hyderabad, letter No.CC. 1303/14/KRL/Ser.AP/HC, dated 15.09.2014.
6. From the GP for Services, AP High Court, Hyderabad letter No.CC. 25162/11/KRL/Ser.AP/HC, dated 15.09.2014.

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ORDER:

In the reference 1st read above, orders have been issued imposing a major penalty of reduction of pay to minimum of the time scale of pay in the case of Assistant Executive Engineer (Rs. 9285-235-9520- 255-10285-280-11125-315-12700-330-13030-360-13750-425-15025-475-16925-550-19675-625-21550) on Sri T.V.Satyanarayana Rao, Assistant Executive Engineer on permanent basis for the irregularities committed during his deputation to APIIC Limited in the execution of B.T. to the internal roads of Guntur district.

2. In the reference 2nd read above, the Hon'ble APAT in its final orders dated 14.07.2010 in O.A.No.2216/2007 and O.A.No.1552/2007 filed by Sri T.V.Satyanarayana, DEE ordered as follows:-

"The applicant is responsible for the loss amounting to several lakhs, where the charge is proved by cogent evidence. In the opinion of this Tribunal, the punishment inflicted is quite proportionate to the proven charge and the Enquiry Officer has taken into consideration the plea taken by the applicant and has come to the conclusion that the charge framed against the applicant is proved. Having regard to these facts and circumstances and foregoing reasons, this Tribunal is not inclined to interfere with the impugned order which is perfectly legal and valid. The O.A is devoid of merit and is accordingly dismissed.

O.A.No.1552/2007: In view of the dismissal of the O.A.No.2216/2007, this O.A. also stands dismissed".

3. In the reference 3rd read above, the Hon'ble High Court of A.P. have pronounced final judgment in their common order dated 21.08.2013 in W.P.No.25162/2011 and W.P.No.28200/2011 filed by Sri T.V.Satyanarayana Rao, DEE as follows:-

"For the aforesaid reasons, these writ petitions are allowed in part and the order of the Tribunal, dated 14.07.2010, passed in O.A.No.1552/2007, is set aside, and the order of punishment, dated 17.02.2007, issued in G.O. Ms. No. 199, Irrigation and

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command Area Development (Ser.VII (V&E.2) Department, stands modified to the extent of stoppage of one increment without cumulative effect. Petitioner is entitled to all other consequential benefits as per Rules. No costs. As a sequel, miscellaneous petitions, if any, pending in these writ petitions, shall stand closed."

4. In the references 4th and 5th read above, the Government Pleader has informed that the contempt cases in C.C.No.1303/14 in W.P. No.25162/2011 and C.C.No.1316/2014 in W.P. No.28200/2011 filed by Sri T.V.Satyanarayana, DEE, Irrigation Sub Division, Chowtharam at Gudlawalleru in K.E. Division, Vijayawada have come up for hearing before the Division Bench comprising Hon'ble Sri Justice R.Subash Reddy and Hon'ble Sri Justice A.V.Sesha Sai on 12.09.2014 and the Hon'ble Court was pleased to post the matter on 10.10.2014 and therefore she has requested to furnish necessary instructions and compliance report in respect of the orders of Hon'ble High Court before next date of hearing.

5. In the reference 6th read above, the Government Pleader in her further letter dated 15.09.2014 has tendered her opinion that as seen from the judgment date: 21.08.2013 of the Hon'ble Court in W.P.No.25162/2011 and W.P.No.28200/2011, the Hon'ble Court has modified the orders of punishment on two grounds (1) discrimination and (2) the punishment imposed is not contemplated either under Rule 9 (vi) (a) or (b) as such it is not a fit case to file SLP.

6. Government, after careful examination of the matter has decided to implement the final judgement of the Hon'ble High court of A.P. in their common order dated 21.08.2013 in W.P.No.25162/2011 and W.P. No.28200/2011 filed by Sri T.V.Satyanarayana Rao, DEE.

7. The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYANATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri T.V.Satyanarayana Rao, AEE - through Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad

Copy to

The Government Pleader for Services.II, High Court, AP., Hyderabad

SF / SC

// FORWARDED :: BY ORDER //

SECTION OFFICER